

The requirement is not believed to be proper, however, as to the claims as now constituted, for the following reasons:

New claim 19 is a linking claim, co-extensive in scope with apparatus claim 7 but directed to the method. Thus, there is no way to practice the method of claim 19 other than by the apparatus of claim 7; and conversely, the apparatus of claim 7 cannot practice a method other than that of claim 19. There being not even one-way distinctness between claims 7 and 19, accordingly, restriction is improper and should not be repeated.

Responsive to the requirement for election of species, applicants elect Species Ia, namely, claims 1-6, again with traverse.

As to the election of species, applicants propose the election of a Group Ia', that is, claims 1-6, 9 and 10 and request examination of a Group Ia', that is, claim 17 plus Group Ia' for the following reasons:

Claims 9 and 10 are drawn to a method involving a vibrating magnetic field, because they begin with the phrase "The method according to..." and moreover claim 9 refers to claim 1, and claim 10 refers to claim 9.

Thus the inventions of claims 9 and 10 have the features by which the Official Action formed Group Ia.

Claims 9 and 10 also have the feature of applying AC and DC magnetic fields in superimposed fashion, as stated in claim 9. The search for this feature (applying AC and DC

magnetic fields in superimposed fashion) must be searched in order to examine claims 9 and 10, and examining claim 17 therewith is not an undue burden.

Claim 18 is drawn to apparatus and should accordingly be classified in Group II.

We append to this amendment a Table 1 by which we propose a rearrangement of the claims for purpose of restriction and species.

Depending on which claims are ultimately examined in this application, there may have to be a change of inventorship. The client has kindly provided a Table 2, also attached hereto, showing the client's present understanding of who invented which subject matter of the various claims. Of course, no action need be taken at present in accordance with this table; this is simply to make of record the applicants' present view of the matter.

An action on the merits of the claims is accordingly respectfully requested.

Respectfully submitted,

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By



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TABLE 1

claims	Grouping by the Examiner			Proposal Grouping by the Applicant		
	Mark	Category	Subject Matter for Grouping	Mark	Category	Subject Matter for Grouping
1-6	Ia	Method	vibrating magnetic field to a molten metal	Ia'	Method	vibrating magnetic field to a molten metal
7-8	II	Apparatus		II'	Apparatus	
9-10	II	Apparatus		Ia'	<i>Method</i>	vibrating magnetic field to a molten metal, applying AC and DC magnetic field in superimposed fashion
11-12	II	Apparatus		II'	Apparatus	
13-16	Ib	Method	intermittently applying a static magnetic field in a thickness direction	Ib'	Method	intermittently applying a static magnetic field in a thickness direction
17	Ic	Method	applying AC and DC magnetic field in superimposed fashion	Ic'	Method	applying AC and DC magnetic field in superimposed fashion
18	Id	Method	applying magnetic fields at position above and below an ejection port	II'	<i>Apparatus</i>	

Table 2

claims	Grouping by the Examiner	Proposal Grouping by the Applicant				Inventors
		Mark	Category	Subject Matter for Grouping		
1-6	Ia	Ia'	Method	vibrating magnetic field to a molten metal	Miki, Kirihara, Takeuchi	
7-8	II	II'	Apparatus		Miki, Kirihara, Takeuchi	
9-10	II	Ia'	Method	vibrating magnetic field to a molten metal , applying AC and DC magnetic field in superimposed fashion	Yamane, Bessho	
11-12	II	II'	Apparatus		Yamane, Bessho	
13-16	Ib	Ib'	Method	intermittently applying a static magnetic field in a thickness direction	Miki, Takeuch	
17	Ic	Ic'	Method	applying AC and DC magnetic field in superimposed fashion	Yamane, Bessho	
18	Id	II'	Apparatus		Yamane, Bessho	